

MRS. HAINS DENIED MONEY OR BABIES

Judge Says Captain Has No Funds and Children Are Well Cared For.

FAMILY TROUBLE DUE TO BROTHER-IN-LAW

Says He Threatened to Injure Her When She Repulsed His Advances, and in Letter to Her Husband He First Coupled Her Name With Annis.

NEW YORK, October 19.—The application of Mrs. Claudia L. Hains, for alimony and counsel fees, to defend a suit for divorce brought by Captain Peter C. Hains, Jr., awaiting trial for the murder of William E. Annis, was denied by Justice Carr in Brooklyn today. Mrs. Hains' request that she be granted the custody of her children was also denied. Annis was named as co-defendant in Captain Hains' suit for divorce.

Justice Carr, in his decision, said that Captain Hains has no means from which to pay either alimony or counsel fees, as his salary has been suspended since his imprisonment and his own small means are needed for his own defense. The court also assigns the reason that Mrs. Hains is in a comfortable home with her parents in Massachusetts.

Can't Have Children. "As to the custody of the children," said Justice Carr, "a similar embarrassment exists. The children are with the father's parents outside this State, and the defendant has no home in this State, and declares that if she gets possession of the children she will take them to Massachusetts. I feel it inadvisable at this moment to disturb the situation."

Mrs. Hains was given permission to renew her application if the conditions change enough to warrant it. Mrs. Hains' affidavit in reply to her husband's divorce suit was made public today. In it she declared that when Captain Hains returned from San Francisco to Fort Hancock, on Sandy Hook, on May 29th last, he accused her of intimacy with William E. Annis, basing his allegation on a letter which Captain Hains said he had received from his brother-in-law, William E. Annis, dated October 1st, 1907.

Mrs. Hains denied the accusation, and as her suggestion Captain Hains invited Annis to their home, after which all three went riding in the State. Captain Hains returned, Mrs. Hains asserted, the captain and Annis sat up until 3 A. M. drinking and smoking, and seemed very friendly. "She declares Captain Hains did not show his brother-in-law, Annis, to ask him to explain the charges. On the following day, Mrs. Hains said, her husband went to call on his father, General P. C. Hains, and returned at 2 A. M. June 1st, pulled her out of bed, again accused her of having had relations with Annis, and threatened to shoot her. General Hains called that day, Mrs. Hains asserted, and upon hearing the captain's accusations said he would shoot Annis on sight."

Signed a Paper. "Later that day Captain Hains' brother, Thomas Hains, called on Mrs. Hains, and she was asked a number of questions which she was asked to answer. At the solicitation of T. Jenkins Hains, Mrs. Hains said, she took a drink of whiskey, and then, at her husband's order, signed a paper which was not read to her. This she says she made. That night the post surgeon and some friends came and treated her for a wound over the eye, which Mrs. Hains said she received from the captain. Early the following morning Captain Hains and his brother returned, and with a pistol drove them out. "My husband told me," Mrs. Hains declares, "that I would have to get out of the house the next day, and if my husband would not take care of me, I would live with Annis. As my husband dropped his pistol on the floor his brother said: 'Save that for the other party.'"

Mrs. Hains denies that she had been guilty of any impropriety with Annis, and she believed her husband's act and his charges were prompted by his brother, T. Jenkins Hains, who threatened to injure her for refusing his advances. "I endeavored several times while my husband was away to make advances," she asserted, "going so far as to enter my room. I repulsed him, and he declared that he would be revenged."

DEPUTY AND INDIANS KILLED

One Officer and Four Flatheads Slain Sunday Fight. MISSOULA, MONT., October 19.—A telephone message from Ovale, Powell county, says that Deputy Warden C. E. Peyton and four Flathead Indians are dead as a result of a fight between the deputy and his assistant, Herman Rudolph, and a band of Flathead Indians near Healand's Prairie, on Swan River, yesterday afternoon. Peyton and Rudolph were attempting to arrest the Indians for hunting without a license and killing deer in excess of the number permitted by law. Peyton went to the camp of the Indians, and told them they must accompany him to Missoula. Without warning, they fired on the deputy with rifles. The fire was returned by Peyton and Rudolph, who were killed. Yellow Head was one of the Indians killed. The squaws escaped.

GOES TO WOODS TO DIE

Salisbury Man, Despondent, Writes to Wife and Ends Life.

OPPOSES REMOVAL OF THAW

Attorney Gardner Argues at Length Against Taking Him to Pittsburgh. PITTSBURGH, PA., October 19.—After hearing motions and arguments to-day in the proceedings to remove Judge Thaw from his position as judge of the Superior Court, Judge Thaw, who is now in the custody of the United States marshal at the Federal House, to testify in the voluntary bankruptcy petition filed several months ago, Judge Young, of the United States District Court, late today reserved until 10 o'clock to-morrow his decision in the two principal points raised in to-day's proceedings. These are, first, whether Judge Young should accept jurisdiction of whether the matter must be presented to Judge Archibald, of Scranton, Pa., by whom the writ of habeas corpus ad testificandum was issued, Judge Young having been in Europe on vacation when the application was made, and second, whether Thaw shall be brought here to testify in the bankruptcy proceedings.

Colonel Asa Bird Gardner, special deputy attorney-general for the State of New York, came here to-day to Pennsylvania, and moved for the dismissal of the writ issued by Judge Archibald. Attorney Gardner, answering both the court and the attorneys for Thaw, said he would not take his motion before Judge Archibald, holding that jurisdiction rested with this district and that Judge Archibald had merely acted for absence; that he would continue the fight on this ground, even though he had to go to the Supreme Court of the United States.

As to bringing Thaw here, Attorney Gardner argued that Thaw had twice been adjudged insane in the courts of New York, and was held under such adjudication in an insane asylum for the criminal insane, in the custody of that State; that, being an insane person, he was incompetent to file a petition in bankruptcy, and being insane, is incompetent to testify in bankruptcy proceedings.

The New York attorney also charged that the bankruptcy proceedings and efforts to have Thaw brought to Pennsylvania to testify there were a mere subterfuge to remove Thaw from the jurisdiction of the New York courts and secure his liberty from the institution in which he is held for the murder of Stanford White. The proposal to bring Thaw here was also attacked on technical grounds, cases in Maine and in the Southern district of New York being cited as precedents.

Attorney Charles Morschauser, one of Thaw's New York attorneys, accompanied Roger O'Mara, Thaw's brother, here to-day, and joined Stone and Stone and A. P. Meyer in the court proceedings. The New York attorney also charged that the bankruptcy proceedings and efforts to have Thaw brought to Pennsylvania to testify there were a mere subterfuge to remove Thaw from the jurisdiction of the New York courts and secure his liberty from the institution in which he is held for the murder of Stanford White. The proposal to bring Thaw here was also attacked on technical grounds, cases in Maine and in the Southern district of New York being cited as precedents.

ENSIGN OR MIDSHIPMAN?

Grove, Va., Man, in Navy, Can't Quite "Do Up" His Position. ANNAPOLIS, MD., October 19.—There was in Annapolis this morning an officer in Uncle Sam's navy who is wondering just where he is "at." Harris Booth, of Grove, Va., is the young man. The thing that is bothering him is whether or not he is a commissioned ensign or only a passed midshipman still. Booth graduated from the Naval Academy in 1906, and was ordered to the USS Albatross, a torpedo boat, and was sent to the Pacific. Just prior to sailing he took the examination for final graduation as an ensign. He passed the mental, but was rejected on the physical grounds, as he was over weight. He was then ordered to the USS Albatross, and was sent to the Pacific. Just prior to sailing he took the examination for final graduation as an ensign. He passed the mental, but was rejected on the physical grounds, as he was over weight. He was then ordered to the USS Albatross, and was sent to the Pacific.

GUS ROGERS, COMEDIAN, DEAD

One of the Best Known Low Comedians on American Stage. NEW YORK, October 19.—Gus Rogers, of the stage comedy team of Rogers Brothers, died here late to-day of appendicitis. Rogers had an attack of appendicitis in Chicago in 1902, but it was not serious. He recovered, and was able to resume his work on the stage. He was taken sick in Utica, N. Y., three weeks ago. Gus Rogers was one of the best known comedians on the American stage. The brothers, Max and Gus, started their stage career in Austin and Stone's music hall in Boston, in 1893. They did a German dialect and knockabout act. Ten years ago, after securing a license to vaudeville, they were signed by Klaw & Branger. They appeared first in "The Round of Pleasure," and later starred in "The Reign of Terror." The Rogers Brothers are in London, and other places written for them.

MRS. CLEVELAND BEFORE JURY

Testifies as to So-Called Cleveland Letter and Indictment May Follow. NEW YORK, October 19.—Mrs. Grover Cleveland and several intimate friends of the late President have been questioned before the grand jury today about the so-called Cleveland letter, which was a report that an arrest would be made. As soon as District Attorney Jerome left the grand jury room, he sent for Lieutenant Peter Beery, who is in charge of the district attorney's detectives, and had a brief talk with him. When he returned to his office, started out. They did not return with a prisoner to-night. Broughton Brandenburg, the writer who published the article to the Times and got \$500, was a witness before the grand jury last week. Before that he made a statement to Mr. Jerome, in which he asserted his innocence of wrongdoing. He said he wanted the fullest investigation.

The grand jury did not file an indictment, but it is expected that an indictment will be filed to-morrow.

MAY SETTLE DIRECTLY

Negotiations Pending to Adjust Troubles Before Powers Meet.

TAKES WHIRL THROUGH NEW JERSEY AND DELAWARE AND RETURNS TO BALTIMORE

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WOMEN DO WANT BALLOT

Not Only So, but They Would Use It Wisely, Says Mrs. Gannett. BUREAU, N. Y., October 19.—The problem of financing the work of the National Woman Suffrage Association cropped out to-day and for a time clogged the smooth running machinery of their convention. The question arose, it is said, President Anna H. Shaw talked to the delegates in no uncertain way as to their failure to provide the national organization with the means to carry on its work. It was finally decided to make an effort to raise at least \$5,000 by voluntary subscription. The contributions had reached \$3,350, when a messenger handed President Shaw a letter from Mrs. Catherine B. Lewis, of Buffalo, in which she announced the contents of the letter in a few happy words.

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ARCHBOLD LETTERS STOLEN

Those Made Public by Henry Taken by Negro Messenger. [Special to The Times-Dispatch.] NEW YORK, October 19.—The John D. Archibald Standard Oil letters, involving Senator Foraker, Congressman Shibley and others, which Mr. Hearst has presented to the public during the present campaign, were stolen from Archibald's files by a negro in Archibald's office and sold by him to Hearst's papers through a white man, a confidential messenger of the Standard Oil Company, according to an article in Collier's Weekly. The negro and white man are said to have made a trade over \$12,000 out of the transaction. The white man, in his interview with the writer for Collier's, hints that the best of letters are yet to be used, and that those which have been held in reserve have to do with Senator Aldrich and Senator Penrose.

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TWO MEN KIDNAP WOMAN

Seventeen-Year-Old Mrs. Meerlongola Is Found Captive in Swamp. HUNTINGTON, W. VA., October 19.—After spending a night of terror, hiding in a barn from friends who were searching the woods for her, Mrs. Abbie Meerlongola, who was twice kidnapped by two men and kept a prisoner in the woods, returned to her sister's home in this village to-day. She was so frightened and dazed by her experience at the hands of the kidnapers that she could tell no connected story of her ill-treatment.

LIGHT UP CITY IN HONOR OF BRYAN

Nominee Enters Chicago in Blaze of Glory After Tour of Illinois.

CHICAGO, October 19.—William J. Bryan, driven in Chicago to-night at 8 o'clock in a blaze of glory, after an all-day trip through Illinois. A dense crowd assembled at the Union Depot to greet him as his special pulled in an hour and fifteen minutes late, and in the crowd to do him honor were a large delegation from the Cook county Democratic club, members of the national committee and all the local Democratic candidates, including the candidates for Congress, who escorted him in fifty automobiles to Pilsen Park, where he addressed a great throng.

PROMISE TO LABOR IF HE IS ELECTED

Gives Assurance That If He Wins, as He Expects to Do, He Will Have a Secretary of Labor in His Cabinet—Republicans Preparing to Buy Election.

Not Bow to Trusts

"I am willing to go down on my knees every morning and pray to my Father in Heaven: 'Give us this day our daily bread,' but God forbid that I should make my countrymen go down on their knees at morning and to a trust magnate: 'Give us this day our daily bread,' and have him answer: 'I will if you will vote the ticket I want you to.' You cannot afford to fasten that sort of system on this country or any other country."—W. J. Bryan, in Joliet speech.

RUMORS ARE IN CONFLICT

Some Say Duke Will Soon Wed; Others That Engagement Is Off. ROME, October 19.—Nothing as yet has been announced officially with regard to the marriage of the Duke of the Abruzzi and Miss Katherine Elkins. The announcement that the duke would leave Turin for the United States shortly created renewed interest in the duke's affairs, and while on the one hand there are many who profess to have undeniable evidence that the marriage will take place soon, on the other hand there are quite as many who claim to have discovered proof that the marriage engagement has been broken off.

"BIG BILL" TAFT SAVES BOY

Women Faint, Others Grow Hysterical, in Crush at Wilmington. [Special to The Times-Dispatch.] PHILADELPHIA, Pa., October 19.—In the crush that greeted William H. Taft at Wilmington to-day, women fainted, others became hysterical, and a boy of the same age was rescued from the throng by "Big Bill" himself. The candidate was first to see the plight of the child, who had fallen to his knees, and he cried, "Get back!" he cried, his voice rising above the tumult. Those who were near the little fellow gave way. "Look out for that child," he shouted Mr. Taft. "Two men, a mechanic in blouse and overalls, and a business man, raised the child shoulder high. 'Now pass him up here to me,' yelled the mechanic. A few seconds the child was in the arms of Mr. Taft. "Gee!" said the boy a minute later, as safe and happy he sat on the edge of the hunting-decked stand. "I'm glad to see you, Mr. Taft," he said, and then he looked at the crowd and how the next President of the United States held me in his arms and called me a bully little fellow."

VIRGINIA RATE CASE

Several Speeches Made, and Arguments to Conclude To-day. [Special to The Times-Dispatch.] WASHINGTON, D. C., October 19.—The Virginia rate case was among the first on the United States Supreme Court docket this morning. Both sides of the case were given an opportunity to present their arguments before the law. United States Senator John W. Daniel, counsel for the State, opened the argument. He had a half-hour, having spoken that length of time on Friday, after which the case was carried over until to-day. Following Major Daniel, John J. I. Durrand, of the Norfolk and Western Railroad, and Mr. Thom, of the Southern, argued for the railroads.

THREE CARS COLLIDE

One Man Killed and Fifteen Hurt in Kansas City Smash. KANSAS CITY, MO., October 19.—A. E. Smith, of Nevada, Mo., was killed, and fifteen others were hurt, to-day, when three trolley cars on the Troost Avenue line collided at Thirtieth Street and Troost Avenue. The air brake failed on one of the cars at Tenth and Troost, and the car rushed back down a steep hill. Two other cars coming up the hill were crowded with passengers bound downtown. These cars, for three blocks before the cars finally collided, ran back in an attempt to avoid a collision. Men and women jumped to the street, and many were hurt. A wrecking car collided with the runaway trolley car after the latter had come to a standstill, and the crew were unable to stop the car. The foreman being back up.

ROOSEVELT NOT "HIRED MAN"

Secretary of War Wright Scathingly Denounces Bryan. NEW YORK, October 19.—Seldom has William Jennings Bryan been so scathingly denounced during the present campaign, as he was here to-night by Secretary of War Wright. Wright, in a long speech, denounced Bryan as a "hired man," and as a "traitor to his country."

JUDGE PARKER OPTIMISTIC

Believes Bryan Will Carry Ohio, as He Does Indiana.

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Some Say Duke Will Soon Wed; Others That Engagement Is Off. ROME, October 19.—Nothing as yet has been announced officially with regard to the marriage of the Duke of the Abruzzi and Miss Katherine Elkins. The announcement that the duke would leave Turin for the United States shortly created renewed interest in the duke's affairs, and while on the one hand there are many who profess to have undeniable evidence that the marriage will take place soon, on the other hand there are quite as many who claim to have discovered proof that the marriage engagement has been broken off.

"BIG BILL" TAFT SAVES BOY

Women Faint, Others Grow Hysterical, in Crush at Wilmington. [Special to The Times-Dispatch.] PHILADELPHIA, Pa., October 19.—In the crush that greeted William H. Taft at Wilmington to-day, women fainted, others became hysterical, and a boy of the same age was rescued from the throng by "Big Bill" himself. The candidate was first to see the plight of the child, who had fallen to his knees, and he cried, "Get back!" he cried, his voice rising above the tumult. Those who were near the little fellow gave way. "Look out for that child," he shouted Mr. Taft. "Two men, a mechanic in blouse and overalls, and a business man, raised the child shoulder high. 'Now pass him up here to me,' yelled the mechanic. A few seconds the child was in the arms of Mr. Taft. "Gee!" said the boy a minute later, as safe and happy he sat on the edge of the hunting-decked stand. "I'm glad to see you, Mr. Taft," he said, and then he looked at the crowd and how the next President of the United States held me in his arms and called me a bully little fellow."

VIRGINIA RATE CASE

Several Speeches Made, and Arguments to Conclude To-day. [Special to The Times-Dispatch.] WASHINGTON, D. C., October 19.—The Virginia rate case was among the first on the United States Supreme Court docket this morning. Both sides of the case were given an opportunity to present their arguments before the law. United States Senator John W. Daniel, counsel for the State, opened the argument. He had a half-hour, having spoken that length of time on Friday, after which the case was carried over until to-day. Following Major Daniel, John J. I. Durrand, of the Norfolk and Western Railroad, and Mr. Thom, of the Southern, argued for the railroads.

THREE CARS COLLIDE

One Man Killed and Fifteen Hurt in Kansas City Smash. KANSAS CITY, MO., October 19.—A. E. Smith, of Nevada, Mo., was killed, and fifteen others were hurt, to-day, when three trolley cars on the Troost Avenue line collided at Thirtieth Street and Troost Avenue. The air brake failed on one of the cars at Tenth and Troost, and the car rushed back down a steep hill. Two other cars coming up the hill were crowded with passengers bound downtown. These cars, for three blocks before the cars finally collided, ran back in an attempt to avoid a collision. Men and women jumped to the street, and many were hurt. A wrecking car collided with the runaway trolley car after the latter had come to a standstill, and the crew were unable to stop the car. The foreman being back up.